

PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-307, MCA)  
The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

**OBJECTION DEADLINE: JANUARY 4, 2021.** THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 2705 SPURGIN RD, BLDG C, PO BOX 5004, MISSOULA, MT 59804-5004 FAX: 406-542-5899 PHONE: 406-721-4284.

**Application Number:** 76F 30113301  
  
**Applicant:** JOHN W ANDES  
300 ESTATE DR  
MOUNT JULIET, TN 37122 2032

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	76F 97603-00	JUNE 19, 1894
Historical Flow Rate: 2.84 CFS	Historical Consumptive Volume: 27.25 AC-FT	
	Historical Diverted Volume: 80.55 AC-FT	

PAST USE OF WATER

52 ACRES WERE HISTORICALLY FLOOD IRRIGATED WITHIN THE 75-ACRE CLAIMED PLACE OF USE WITH STATEMENT OF CLAIM 76F 97603-00. HISTORICALLY 2.84 CFS UP TO 80.55 AF OF WATER WERE DIVERTED INTO THE TUCK DITCH FROM LIVERPOOL CREEK IN THE NWNWSW OF SECTION 6, T14N R8W, LEWIS AND CLARK COUNTY.

PROPOSED CHANGE

**FLOW RATE:** 2.84 CFS **VOLUME:** 80.55 AC-FT **ACRES:** 0.00

THE APPLICANT PROPOSES TO TEMPORARILY CHANGE THE PURPOSE AND PLACE OF USE OF STATEMENT OF CLAIM NO. 76F 97603-00 FROM IRRIGATION TO INSTREAM FLOW IN LIVERPOOL CREEK, TRIBUTARY TO KEEP COOL CREEK IN LEWIS & CLARK COUNTY FOR A PERIOD OF 10 YEARS. THE PERIOD OF USE FOR THE INSTREAM PURPOSE WILL BE JULY 24 TO SEPTEMBER 1. AFTER THIS CHANGE THE HISTORICAL 52-ACRE PLACE OF USE WILL BE TEMPORARILY RETIRED FROM IRRIGATION. BEGINNING JULY 24 AND ONCE STREAMFLOWS AS MEASURED BELOW THE HISTORICAL POINT OF DIVERSION DROP TO 2.84 CFS THE APPLICANT WILL PROTECT 2.84 CFS INSTREAM UP TO A VOLUME OF 80.55 AF (14.4 DAYS). THE INSTREAM PLACE OF USE IN LIVERPOOL CREEK EXTENDS FROM THE HISTORICAL POINT OF DIVERSION IN THE NWNWSW OF SECTION 6, T14N R8W, TO A POINT 0.8 MILES DOWNSTREAM IN THE SWSWSE OF SECTION 1, T14N R9W, IMMEDIATELY BEFORE LIVERPOOL CREEK ENTERS SECTION 12.

**PUBLISHED IN:** BLACKFOOT VALLEY DISPATCH ON NOVEMBER 19, 2020.